

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:10-cv-00159-MR**

SOCIEDAD ESPANOLA DE)
ELECTROMEDICINA Y)
CALIDAD, S.A.,)
)
)
Plaintiffs,)
)
vs.)
)
BLUE RIDGE X-RAY CO., INC.,)
DRGEM USA, INC., and)
DRGEM CORP.,)
)
Defendants.)
)

JUDGMENT

THIS MATTER was called for trial and was heard by the undersigned judge, and a jury was duly empaneled and has answered the issues presented as follows:

1. Do the Defendants' accused products infringe one or more of the claims of the '829 Patent?

ANSWER: YES

2. What amount of damages, if any, is adequate to compensate the Plaintiff for the Defendants' infringement?

ANSWER: \$852,000

3. Was DRGEM USA, Inc.'s infringement of the '829 Patent willful?

ANSWER: YES

4. Was DRGEM Corp.'s infringement of the '829 Patent willful?

ANSWER: YES

Based on the foregoing facts as found by the jury, the Court concludes as a matter of law that the Defendants Blue Ridge X-Ray Co., Inc., DRGEM USA, Inc., and DRGEM Corp. infringed U.S. Patent No. 6,642,829, and that the infringement committed by DRGEM USA, Inc. and DRGEM Corp. was willful. Accordingly, the Defendants' counterclaim for a declaratory judgment regarding non-infringement is dismissed. The Court previously entered an Order granting the Plaintiff summary judgment with respect to the Defendants' counterclaim for a declaratory judgment regarding the invalidity of the '829 Patent, and that counterclaim shall also be dismissed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff Sociedad Espanola de Electromedicina y Calidad, S.A. shall have and recover of the Defendants Blue Ridge X-Ray Co., Inc., DRGEM USA, Inc. and DRGEM Corp., jointly and severally, the sum of \$852,000.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all counterclaims asserted by the Defendants are **DISMISSED WITH PREJUDICE.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiff shall recover its costs of the action from the Defendants.

The Court retains jurisdiction of this matter for the purpose of addressing the Plaintiff's Motion for Attorney's Fees [Doc. 225].

IT IS SO ORDERED.

Signed: July 8, 2016



Martin Reidinger
United States District Judge

